



GAIL FARBER, Director

COUNTY OF LOS ANGELES DEPARTMENT OF PUBLIC WORKS

"To Enrich Lives Through Effective and Caring Service"

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ADOPTED

BOARD OF SUPERVISORS
COUNTY OF LOS ANGELES

March 03, 2015

The Honorable Board of Supervisors
County of Los Angeles
383 Kenneth Hahn Hall of Administration
500 West Temple Street
Los Angeles, California 90012

25 March 3, 2015


PATRICK O'GAWA
ACTING EXECUTIVE OFFICER

Dear Supervisors:

**ADOPT AND ADVERTISE
TANK RECOATING AND RETROFITS, PHASE II
IN THE CITY OF MALIBU AND IN THE
UNINCORPORATED COMMUNITY OF TOPANGA
(SUPERVISORIAL DISTRICT 3)
(3 VOTES)**

SUBJECT

This action is to approve and advertise the project for recoating, retrofitting, and repairing four existing potable water tanks in the City of Malibu and the unincorporated community of Topanga; find this project categorically exempt from the provisions of the California Environmental Quality Act; adopt the plans and specifications; authorize the Director of Public Works or her designee to execute a consultant services agreement for the preparation of a baseline construction schedule and environmental plans for a fee not to exceed \$16,000; and delegate certain responsibilities to the Director of Public Works or her designee to carry out this project.

IT IS RECOMMENDED THAT THE BOARD ACTING AS THE GOVERNING BODY OF THE LOS ANGELES COUNTY WATERWORKS DISTRICT NO. 29, MALIBU:

1. Find that this project is categorically exempt from the provisions of the California Environmental Quality Act.
2. Approve and advertise the project and adopt the plans and specifications that are on file in the Construction Division of the Department of Public Works for the recoating, retrofitting, and repairing four existing potable water tanks, at an estimated construction contract cost between \$2,100,000 and \$2,500,000.

3. Instruct the Acting Executive Officer of the Board of Supervisors to advertise for bids in accordance with the Instruction Sheet for Publishing Legal Advertisement, and which are to be received before 11 a.m. on March 31, 2015, in accordance with the Notice Inviting Bids.
4. Authorize the Director of Public Works or her designee to execute a consultant services agreement with the apparent responsible contractor with the lowest responsive bid to prepare a baseline construction schedule and environmental plans for a fee not to exceed \$16,000, funded by existing project funds.
5. Delegate to the Director of Public Works or her designee the following authority in connection with this contract: (1) approve and execute change orders within the same monetary limits delegated to the Director of Public Works under Section 2.18.050 of the Los Angeles County Code relative to the construction of County buildings; (2) allow substitution of subcontractors and relief of bidders upon demonstration of the grounds set forth in Public Contract Code Sections 4100 et seq. and 5100 et seq., respectively; (3) accept the project upon its final completion; (4) release retention money withheld consistent with the requirements of Public Contract Code Sections 7107 and 9203; and (5) extend the date and time for the receipt of bids consistent with the requirements of Public Contract Code Section 4104.5.

PURPOSE/JUSTIFICATION OF RECOMMENDED ACTION

The purpose of the recommended actions is for the Board, acting as the governing body of the Los Angeles County Waterworks District No. 29, Malibu, to approve and advertise the project; adopt the plans and specifications; authorize the Director of Public Works or her designee to execute a consultant services agreement to prepare a baseline construction schedule and environmental plans for a fee not to exceed \$16,000, funded by existing project funds; and delegate certain responsibilities to the Director or her designee to carry out this project.

Implementation of Strategic Plan Goals

The Countywide Strategic Plan directs the provisions of Operational Effectiveness/Fiscal Sustainability (Goal 1) and Integrated Services Delivery (Goal 3). The recommended actions will help achieve these goals by providing residents and property owners within the Waterworks District with a more reliable water supply system.

FISCAL IMPACT/FINANCING

There will be no impact to the County General Fund.

The estimated construction contract cost to complete this project is in the range of \$2,100,000 to \$2,500,000. The total project cost is estimated to be \$3,000,000. In addition to the construction contract cost, the total project cost includes the preparation of plans and specifications, consultant services, survey, materials testing and reporting, inspection, contract administration, change order contingency, and other County of Los Angeles services.

Funding for this project is included in the Fiscal Year 2014-15 Accumulative Capital Outlay Fund of the Los Angeles County Waterworks District No. 29, Malibu.

FACTS AND PROVISIONS/LEGAL REQUIREMENTS

This project is part of the Department of Public Works' ongoing program for the operation, maintenance, and repair of water systems. It will be advertised in accordance with Section 20602 of the State Public Contract Code.

This project is to be completed in 110 working days. It is anticipated the work will start in September 2015 and be completed in February 2016.

The award of this contract will be in full compliance with Federal, State, and County regulations. The project specifications contain provisions requiring the contractor to comply with terms and conditions supporting the Board's ordinances, policies, and programs including, but not limited to: the County's Greater Avenues for Independence and General Relief Opportunities for Work Programs (GAIN and GROW), Board Policy No. 5.050; Contract Language to Assist in Placement of Displaced County Workers, Board Policy No. 5.110; Reporting of Improper Solicitations, Board Policy No. 5.060; Notice to Contract Employees of Newborn Abandonment Law (Safely Surrendered Baby Law), Board Policy No. 5.135; Contractor Employee Jury Service Program, Los Angeles County Code, Chapter 2.203; Notice to Employees Regarding the Federal Earned Income Credit (Federal Income Tax Law, Internal Revenue Service Notice 1015); Contractor Responsibility and Debarment, Los Angeles County Code, Chapter 2.202; the Los Angeles County's Child Support Compliance Program, Los Angeles County Code, Chapter 2.200; the Los Angeles County's Defaulted Property Tax Reduction Program Ordinance, Los Angeles County Code, Chapter 2.206; and the standard Board-directed clauses that provide for contract termination or renegotiation.

The State Public Contract Code requires the County to award construction contracts to a responsible contractor with the lowest responsive bid, which is defined as the firm that: (1) submits the bid with the lowest cost; (2) is deemed by the County to be responsive to specific criteria under the solicitation including, but not limited to, licensure, bonding, and insurance requirements; and (3) is determined by the County to be a responsible bidder by exhibiting the capability, capacity, experience, trustworthiness, and financial wherewithal to perform the work required under the bid solicitation.

To ensure the contract is awarded to a responsible contractor with a satisfactory history of performance, bidders are required to report violations of the False Claims Act, criminal convictions, civil litigation, defaulted contracts with the County, complaints filed with the Contractor's State License Board, labor law/payroll violations, and debarment actions. As provided for in Board Policy No. 5.140, the information reported by the contractor will be considered before making a recommendation to award.

The plans and specifications include the contractual provisions, methods, and material requirements necessary for this project and are on file with Public Works.

ENVIRONMENTAL DOCUMENTATION

This project is categorically exempt pursuant to Section 15302 of the California Environmental Quality Act Guidelines and Class 1, Subsection (b) of the revised County Environmental Document Reporting Procedures and Guidelines adopted by the Board on November 17, 1987. These exemptions provide for upgrading and maintenance of existing tank facilities.

CONTRACTING PROCESS

This project will be contracted on an open-competitive bid basis. A recommendation for award by the Board will be made upon review of the bids. The contract will be awarded to a responsible contractor who submits the lowest responsive bid meeting the criteria established by the Board and the State Public Contract Code.

To increase contractor awareness of Public Works' program to contract work out to the private sector, this project will be listed on both the County's "Doing Business with Us" and Public Works' "Contract Opportunities" websites for upcoming bids.

IMPACT ON CURRENT SERVICES (OR PROJECTS)

There is no impact on current County services.

When the project is completed, it will have a positive impact by providing the residents and property owners within Waterworks District No. 29, Malibu, with a more reliable water supply system.

CONCLUSION

Please return one adopted copy of this letter to the Department of Public Works, Construction Division.

Respectfully submitted,

A handwritten signature in black ink that reads "Gail Farber". The signature is written in a cursive, flowing style.

GAIL FARBER

Director

GF:JTS:lg

- c: Chief Executive Office (Rochelle Goff)
County Counsel
Executive Office
Internal Services Department (Countywide
Contract Compliance)